THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION No.26551 of 2005

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Dated: 22.12.2005

Between:

P.Narasaiah (E.175963) S/o.Ramaiah
APSRTC,Barkatpura Depot, Hyderabad,
Hyderabad District and another.

.....PETITIONERS

AND

The Vice-Chairman, & Managing Director,
APSRTC Musheerabad, Hyderabad and others.

.....RESPONDENTS

ORDER:

The petitioners were appointed as Drivers in the Nalgonda Region of A.P.S.R.T.C., on daily wage basis, in the month of January 2001, on being selected. Thereafter, they were transferred and posted to Hyderabad. At present, they are working in Barkatpura Depot, Hyderabad Region. The grievance of the petitioners is that on account of frequent transfers, that too, outside the region, they are put to serious hardship. According to the petitioners, various authorities of the Corporation have assured them that they would be brought back to the Nalgonda Region, where they were initially appointed, and complain that even after several years, they are required to work outside their parent region.

Heard the learned counsel for the petitioners and learned Standing Counsel for the Corporation.

It is not in dispute that region is the unit, for the post of Driver, whether appointed on regular or daily wage basis. Transfer or posting of the Driver outside the region can take place, only on the basis of request, or on administrative grounds, that too by an authority, superior to the Regional Manager. Even where such transfers became inevitable, the postings have to take place from the bottom of seniority list. In W.P.No. 10590 of 2005, dated 13.07.2005, this Court has undertaken discussion about this very issue and took the view that, employees, such as Drivers and Conductors, cannot be shifted outside the regions of their appointment, indiscriminately.

For the foregoing reasons, the writ petition is allowed in part, directing the respondents to post the petitioners, at any place, in Nalgonda region, within six weeks from the date of receipt of a copy of this order. So far as the assignment of work is concerned, the respondents shall follow the roster, and as long as any junior to the petitioners is provided work, they shall also be engaged. As regards the relief claimed by the petitioners for regularization of services as Grade-II drivers, the respondents shall consider the same in accordance with the relevant scheme and procedure, depending on the availability of vacancies, duly following the seniority.

There shall be no order as to costs.

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22.12.2005

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